REMARKS

This amendment responds to the office action dated March 23, 2005.

The applicant has amended the title of the invention to a "Data Compression Method for Digital Files." The applicant has also corrected portions of the specification that stated incorrect reference numerals.

The Examiner objected to the drawings, contending that they did not show all of the features described in some of the claims. The Examiner indicated that the applicant was required to either submit amended drawings or cancel the missing features from the claim. The applicant has elected to cancel previously pending claims 1-24 and add new claims 25-29. New claims 25-29 are fully supported by FIGS. 1 -3, and the accompanying portion of the specification. Specifically, FIG. 1 shows a digital image 20 having a plurality of pixels 22. FIG. 2 shows each of the pixels being represented by a sequence 24 of ordered symbols such as 28 or 30. FIG. 2 also shows that symbols may be organized into bit planes such as 36 or 38 such that each symbol in the bit plane occupies the same position in a respective sequence of ordered symbols for a pixel. The specification describing FIG. 2 indicates that the digital image may be compressed by compressing one or more of the bit planes such as 36 or 38. *See* specification at p. 7, line 21 to p. 8 line 11. Furthermore, FIG. 3 shows three potential methods 50, 52, and 54 of compressing a bit plane, illustrated in a manner permitted by the USPTO (see 37 CFR § 1.83 (a) stating that conventional, easily understood features may be illustrated by a box). Therefore, the Examiner's objection to the drawings is overcome.

The Examiner rejected claims 1-24 under 25 U.S.C. § 103(a) as being obvious in view of the combination of Chen, et al., U.S. Patent No. 6,570,510 with Belu, U.S. Patent No. 6,552,268. Chen, however, may not be properly considered as prior art. That reference was not patented or published in this or a foreign country until well after applicant's filing date of June 19, 2001 hence is unavailable as prior art under 35 U.S.C. §§ 102(a) and 102(b). Sections 102(c), (d), (f), and (g) are irrelevant. Furthermore, Chen may not be considered prior art under 35 U.S.C. § 102(e) because the application was not filed in the United States until approximately six months after the present application was filed, nor was it filed and published in English as a PCT application prior to applicant's filing date. The applicant further notes that, although Chen claims

priority to a foreign filing date of December 6, 2000, that foreign priority date may not be used as a 103(e) reference date. See MPEP § 2136.03 I. Therefore, Chen is unavailable as prior art under 35 U.S.. § 103, as well.

In any event, new claims 25-29 patentably distinguish over the cited combination because, although Chen discloses a method that processes data in bit planes, that data is received from blocks that have been previously transformed using a Discrete Wavelet Transform method. Therefore, the bit plane data being processed does not "[occupy] the same position in a respective sequence of ordered symbols for a pixel." Furthermore, Chen does not indicate that the entropy encoders and decoders by which the bit plane data are processed output data that would benefit from compression techniques, e.g., that the bit plane data has substantial runs of identically valued symbols. Therefore, there would be no suggestion in the prior art to make the combination suggested by the Examiner.

In view of the foregoing amendments and remarks, the applicant respectfully requests reconsideration and allowance of claims 25-29.

Respectfully submitted,

Kurt Rohlfs
Reg. No. 54,405
Tel No.: (503) 227-5631